

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

NICKOLE MALONE,
Plaintiff,

Case No. 3:21-cv-00017

vs.

COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION,

District Judge Michael J. Newman
Magistrate Judge Peter B. Silvain, Jr.

Defendant.

ORDER: (1) GRANTING THE PARTIES' JOINT MOTION FOR REMAND (DOC. NO. 9); (2) REMANDING THIS CASE TO THE COMMISSIONER UNDER THE FOURTH SENTENCE OF 42 U.S.C. § 405(g) FOR FURTHER PROCEEDINGS; (3) ORDERING THE ENTRY OF JUDGMENT IN PLAINTIFF'S FAVOR; AND (4) TERMINATING THIS CASE ON THE COURT'S DOCKET

This Social Security disability benefits appeal is presently before the Court on the parties' joint motion to remand this case to the Commissioner for further administrative proceedings pursuant to the Fourth Sentence of 42 U.S.C. § 405(g). Doc. No. 9. For good cause shown, and because the requirements of a Sentence Four remand have been satisfied, **IT IS ORDERED THAT** (1) the parties' Joint Motion for Remand is **GRANTED**; (2) this case is **REMANDED** to the Commissioner under the Fourth Sentence of 42 U.S.C. § 405(g) for proceedings consistent with the parties' Joint Motion and this Order; (3) upon remand, the Appeals Council will vacate all findings in the Administrative Law Judge's decision; 4) the Commissioner will develop the administrative record as necessary to determine whether Plaintiff is disabled within the meaning of the Social Security Act, hold a new hearing, and then issue a new decision; and (5) this case is

TERMINATED upon the Court's docket. The Clerk is **ORDERED** to enter judgment in Plaintiff's favor.

IT IS SO ORDERED.

July 22, 2021

s/Michael J. Newman
Hon. Michael J. Newman
United States District Judge